

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

press Mail Label No.: EL968416479US

Date of Deposit: December 2, 2003

this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Valerie Cohen

TECH CENTER 1000 2003 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert BARNHAM and David JOYNT

Serial No.:

09/869,002

Filing Date:

June 22, 2001

For:

HEAT TOLERANT BROCCOLI

Examiner: C. Collins

Group Art Unit: 1638

AMENDMENT UNDER 37 C.F.R. 1.116

Box AF Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Final Office mailed September 2, 2003 for which a response is due on December 2, 2003. As such, this response is timely filed.